

**STAFF COMMENTS: 05/11/10**

**REMINDER FOR COMMISSIONERS TO STATE THEIR NAME BEFORE SPEAKING.  
REMINDER FOR STAFF TO COME TO THE PODIUM WHEN SPEAKING.  
REMINDER TO TURN OFF ALL CELL PHONES DURING THE MEETING...**

**ITEM 1.** ::Review :: Staff comments for the commissions review included herein.

**ITEM 2.** :: Action Item : Recommendation:: This is the 2<sup>nd</sup> extension review on a use within the A-10 zone under a grandfather clause, whereas the cinder pit was in existence since the zoning ordinance was adopted in 1972. The applicant has purchased the pit (22 acres) and they are operating an aggregate processing plant or a crushing operation on site (County Code 10-18-2 Permit Required (amended 2008)). Previously, their site plan showed the location of roads, stock piles, equipment and overhead power lines. If there is to be any employees on site, the applicant needs to provide sanitary facilities. The applicant will be invited to attend the meeting for an update on progress. (see site plan, zoning map and minutes included herein)

**ITEM 3.** ::Action Item : Recommendation:: This is the 3<sup>rd</sup> extension on the event sponsored by the Blue Duck Racing Association. This is a ½ marathon (13.1 miles), and 5k (3.2 miles), with approximately 300 attendees listed under the special event coverage as reported previously. The applicant has advised staff that the run will begin at a location near Veyo, running through Gunlock and beyond the gravel pit, reservoir and through the Shivwits Indian Reservation and on to Unity Park in Ivins. The applicant has met with the County Sheriff's Department and will provide a copy of their agreement of service during this event. The Shivwits Indian representative previously granted approval for crossing the reservation. The applicant has updated the liability insurance policy listing Washington County as a beneficiary, and will provide the same amount of rest stops and porta-potties. Communications and emergency access should be addressed. These types of events are conditionally approved. The applicant will be present to review last years event and answer any questions the commission might have. (See routing map, documentation and minutes enclosed)

**ITEM 4.** :: Action Item : Recommendation:: This review is for the 2<sup>nd</sup> extension, although whereas the construction has been completed, staff recommends approving this on a permanent basis. The commission may recall that the Fire Station for the SWSSD was located within an existing water company building. As previously reviewed, these types of uses are conditionally approved within the RE-40.0 zone (County Code 10-8D-3). In expanding the facility, the fire district built the structure southwest of the existing location on a platted parcel provided for community use, Track D in Diamond Valley Acres. The applicant will be invited to attend the meeting. (See site plan and minutes attached)

**ITEM 5.** ::No Action : Update:: This review with staff would have been the 2<sup>nd</sup> extension on construction of a 38' x 60' pavilion, but the use was changed from pavilion to a cabin one month after the 1<sup>st</sup> extension was granted one year ago. Ms. Dutton requested change of status with the building department. Permit inspection reports show that a rough framing inspection was made on June 23, 2009. As previously reviewed, their culinary water is provided by the Terrace Drive Mutual Water Company. No action is needed. (See site plan/vicinity map attached and minutes

included herein)

**ITEM 6. ::Action Item : Recommendation::** The applicant has located a temporary batch plant on site to facilitate a job for the Pacific Corp (Rocky Mountain Power) Red Butte Subdivision near Central. They will be hauling gravel to this site from their pit in Iron County or utilizing product from the Carl Bowler pit near Veyo if it does not have any clay. They have approvals from the Forest Service on this project and the commission will need to review this use conditionally within the OSC zone as being a use similar to the conditional uses and in harmony with the character and intent of the zone (10-6A-3 County Code). The applicant has submitted permits from the Forest Service, Air Quality Service, and OSHA Certification. The site will have a couple of job site trailers, two porta-potties, and the batch plant outside the perimeter of the substation site. (See site location and documentation attached)

**ITEM 7. ::Action Item : Recommendation::** Both applicants are amateur HAM Radio operators, who installed two poles within the setback area of their properties in Central. The adjacent neighbor, Evan and Bridget Jones, have written a letter indicating they have no problem with the pole erected near their property line. The staff attorney has reviewed the Memorandum Opinion and Order before the Federal Communications Commission on Federal preemption of state and local regulations pertaining to Amateur radio facilities. This is being reviewed conditionally on exceptions to height limitations (10-13-12 County Code). ***EXCEPTIONS TO HEIGHT LIMITATIONS: Subject to conditional use approval of the planning commission, and approval of the county commission, penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limit herein prescribed, but no space above the height limit shall be allowed for purposes of providing additional floor space. (Ord. 2001-815-O, 12-17-2001, eff. 12-17-2001).*** The maximum height regulation is 35 feet without a conditional use permit. (See photos and documentation included herein)

**ITEM 8. ::No Action::** Staff decisions from the Land Use Authority Staff Meeting one (1) Conditional Use Permit Extension. (Minutes attached)

**ITEM 9. ::Action Item: Administrative::** Copy of minutes will be available at the meeting if not included herein.

**ITEM 10.** Action taken on Planning Items by the Washington County Commission on April 20 and May 4, 2010, beginning at 4:00 p.m.: (a) Conditional use to operate a 24 hour therapeutic boarding school “Brookhaven” (Country Living) for young men between the ages of 13 & 17 at Brookside... Michael C. Armstrong, applicant; (b) Conditional use extension on a Tower for Verison Wireless at Big Mountain communications facility in Section 4, T38S, R16W, on Forest Service property near Enterprise... Connie Misket/Technology Associates International Corporation, agent; (c) Conditional use extension to run a new transmission line from Central to the Middleton Substation and install a temporary line from the Middleton Substation to St. George Substation, fencing and expansion on the existing facility and changes to the Black Gulch to Diamond Valley line... Rocky Mountain Power/Project Manager Paul Henry, applicant; (d) Conditional use for the five (5) Zip Lines at Pah Tempe, within the OST-20 Zone, unincorporated

area of Washington County... Ken Anderson, applicant; (e) Consider approval on amendment to the Washington County Land Use (Zoning) Ordinance, Title 10, Chapter 25, Wind Energy Systems and Facilities... County initiated; and (f) Zone change from C-1 (Neighborhood Commercial) to C-2 (Highway Commercial) zone, containing 5.425 acres, a portion of Section 21, T40S, R11W, SLB&M, for a Bed and Breakfast. Hank Landau, owner/applicant.

**ITEM 11.** General reporting on various topics. Any report or topic under this line item needs to be noticed, as per State Code. **Please schedule items for this agenda line item with the Land Use Authority Office no later than 10:00 a.m. on the 1st and 3rd Wednesdays of each month.**